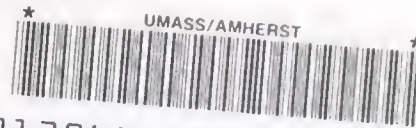


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U.S. Department of Justice
Drug Enforcement Administration
Demand Reduction Section

For Employers Only: Creating a Drug-Free Workplace

MASSACHUSETTS
GOVERNOR'S ALLIANCE
AGAINST DRUGS

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DRUG AND ALCOHOL POLICY

DRUG POLICIES SHOULD ADDRESS ISSUES SUCH AS:

- *The agency's overall position on drug use, including alcohol (see Administration and Finance Bulletin Amendment to 89-8)
- * The agency's position on job performance as it relates to drug use.
- * The agency's position on safety of the public and co-workers as it relates to drug abuse.
- * Any drug deterrence technique which can be utilized.
- * The responsibility of the employee to seek treatment for addiction problems.
- * The assistance which will be available to employees with addiction problems
- * the need for strict confidentiality for employees who are in treatment, and the procedures for dealing with the violation of confidentiality.



ADMINISTRATIVE BULLETIN

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

AMENDMENT TO 89-8

December 19, 1989

To: All Agency and Department Heads

Re: POLICY ON A DRUG-FREE WORKPLACE

The Commonwealth of Massachusetts is required to comply with the newly enacted Federal Drug-Free Workplace Act of 1988. The Act requires that all recipients of Federal grant monies establish a Drug Free Workplace Policy and implement the Act. The Act also provides sanctions to be imposed on those who fail to comply.

The Commonwealth of Massachusetts certifies that agencies who receive federal grants will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in all state workplaces and that specific actions will be taken against employees who violate such prohibition.
- B. Establishing a drug-free awareness program to inform employees concerning the following: the dangers of substance abuse in the workplace; the state-wide policy of maintaining a drug-free workplace; available substance abuse counseling, rehabilitation and employee assistance programs; and the penalties that may be imposed upon employees for drug violations occurring in the workplace.
- C. Requiring that each employee engaged in the performance of a grant be given a copy of the statement required above.
- D. Notifying employees as a condition of employment under the grant, that the terms of the statement must be adhered to, and notification must be given to their supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

- E. Notifying the federal agency within ten days of receiving such notice of conviction, and taking appropriate personnel action against such employee or requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program.
- F. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of the above paragraphs.

Attached is a sample notification statement which is required to be given to each employee working on a federal grant program. It is advisable to ask the employee to read and sign the statement, and to place same in his/her personnel record.

Each agency should also establish a drug-free awareness program. The Department shall take steps to combat the dangers posed by substance abuse. Some resources available to you include the Governor's Alliance Against Drugs which provides drug and alcohol educational materials and is active in local schools and communities; the state Department of Public Health's Division of Substance Abuse which has an information and referral hotline (800-327-5050) (TTD 617-547-2111) to help find out about treatment options and resources; and the state's insurance providers which have manuals outlining benefits available to enrolled state employees and their families.



L. Edward Lashman, Jr.
Secretary

Attachment

The Problem

- ❖ Drug abuse is the number one problem facing the United States.
 - ❖ Can anyone doubt that American society faces a drug abuse epidemic?
 - ❖ Today, 5,000 Americans will try cocaine for the first time; nearly 2,000 Americans will be arrested for drug-related crimes; and more than 2,700 boats and planes will smuggle illegal drugs into the country.
 - ❖ Drug abuse has reached every state, every community, every school district and virtually every workplace. Drug abuse has spread to every occupation in our society.
 - ❖ From Hollywood to Fortune 500 board rooms, professional sports to the airplane cockpit, the air traffic controllers' tower, and the medical profession, drugs are contaminating the work force. No occupation or profession is immune.
- These problems cut across the spectrum, from the board room to the factory floor, and affect white and blue collar workers alike. The effects are felt at every level of society. Moreover, at a time when American businesses face ever-sharper competition from disciplined foreign firms, we can hardly afford the consequences of drug abuse in our workforce.

An alarming number of U.S. workers use drugs. A recent survey of drug users who were seeking help in regard to their drug habits revealed that:

- ❖ 75 percent said they had used drugs on the job;
- ❖ 64 percent admitted drugs had adversely affected job performance;
- ❖ 44 percent said they had sold drugs to other employees; and
- ❖ 18 percent said they had stolen from co-workers to support their habits.

"Drug use in the workplace primarily affects two areas: Productivity and Security. The impact on productivity could be decreases in motivation, output, and quality, and increases in absenteeism and errors in judgment. Drug use not only impairs the worker's skills, but can also lower the morale of fellow workers who must cope with the user's erratic moods and low work output."

—John C. Lawn
Administrator
Drug Enforcement Administration

(The Problem)

While statistics vary, it is certain that the costs of drug and alcohol abuse are enormous. Experts agree that drug abuse is a problem in the American workforce which produces the following:

- ❖ Increased absenteeism and tardiness;
- ❖ Lowered productivity and profits;
- ❖ Strained relations between workers;
- ❖ Theft of company and co-worker property to support drug habits;
- ❖ Possible legal difficulties for employers;
- ❖ Increased illnesses, accidents, and injuries;
- ❖ Higher use of medical benefits;
- ❖ Domestic and financial difficulties for employees; and
- ❖ Endangered health and safety of workers, their co-workers, and often the public as well.

The Cost

While business pays an exorbitant price for drug abuse by its employees, society at large pays an even higher price. For example, the federal government will spend more than \$2.5 billion in 1988 on interdiction, investigation, prosecution, corrections, enforcement, and assistance to state and local governments. Local police departments will spend another \$861 million. Overall, drug abuse represents a massive drain on American society.

Furthermore, drug abuse directly affects all of us. Each of us as a consumer, a taxpayer, and a citizen pays a price. When our car insurance rates go up; our houses are burglarized; our taxes go up; and we pay more for products and services because of the increased security, theft, and defective products attributable to drug abuse, we are all paying the price.

Our personal safety and the safety of our families and homes are threatened by the drug abuse epidemic. A recent study of nearly 250 drug addicts found that, over an 11-year period, an average 1,946 crimes were committed by these addicts. In one recent year alone, 708,400 suspects were arrested on drug charges. This does not include robberies and burglaries to support drug addicts' habits where no nexus to drug use was found.

Ultimately, winning the fight against drugs depends on fostering a sense of personal responsibility in everyone using or tempted to use illegal substances. This can be done through education, through setting a positive drug-free example for others, through user accountability, and making drug users think twice about continuing to use drugs.

"Drug abuse costs GM more than \$1 billion a year and is the major cause of absenteeism. The average substance abuser at GM had worked only 140 out of 240 work days during the year prior to receiving help."

—Roger Smith
Chairman of the board
General Motors

Not only do employers have the means to decrease drug abuse, they also have the incentive. Drug abuse costs employers \$70 to \$100 billion a year.

- ❖ In the United States, drug abuse on average annually costs a business \$7,000 per drug-abusing employee.
- ❖ A major airline lost \$19 million dollars when a computer operator, while high on marijuana, failed to load crucial computer tape into the airline reservation system causing 8 hours of downtime and erasures.
- ❖ One recent study: Drug Abuse added \$50 billion to our annual insurance costs—roughly \$200 per U.S. citizen. We spend as much on drug abuse related insurance increases as we do for two and one-half months of food, or for all wearing apparel for a year.
- ❖ \$650 is added to purchase price of new car because of drug-abuse. Why? That is how much car manufacturers have to recover from production mistakes, downtime, and insurance premiums related to drug abuse.

"I consider drugs damn dangerous. I believe that my responsibility is such that my position against drugs has to be clearly understood by everyone who works under my direction."

—Daniel Burke
President
Capital Cities/ABC

Recognizing Drug Abuse Behaviors

In studies, the following drug-related performance indicators were identified:

- ❖ Late to work three times more than other employees.
- ❖ Requests early dismissal or time off over two times more.
- ❖ Uses three times more sick leave.
- ❖ Is five times more likely to file worker compensation claim.
- ❖ Is almost four times as likely to have an accident at work, nine times more likely to have a domestic or car accident away from work.
- ❖ Has inconsistent work quality and lowered productivity.
- ❖ Has increased mistakes, is careless and makes judgment errors.
- ❖ Shows mood swings, which over several days, seem to occur at similar times of the day.
- ❖ Is overly reactive to supervisory admonishments or compliments. Deliberately avoids co-workers and supervisors, especially supervisors who have been trained to spot abusers.
- ❖ Has deteriorating personal appearance, hygiene and ability to get along with co-workers.
- ❖ Evidence of poor morale and reduced productivity among co-workers, the result of “covering” for the abuser, or frustration of management ignorance or inaction to what is perceived by many workers as an obvious drug problem.
- ❖ Needless risks taken to raise productivity after supervisory admonishments.
- ❖ Careless handling and maintenance of machinery, equipment or office supplies.
- ❖ Disregard for co-workers safety.
- ❖ Increased complaints about problems at home or with family or friends.
- ❖ Frequent and recurring financial problems, including borrowing from co-workers or supervisors to “get to payday.”
- ❖ Functions at only 67 percent of normal work potential.

Solutions

Many solutions are now being offered for the problem of workplace drug abuse, from testing programs through management training to comprehensive employee assistance programs. The following solutions vary in their cost and effectiveness:

- ❖ Every employer should prepare a written policy statement to be circulated and acknowledged by all employees that illegal drug use will not be tolerated and that job performance impairment resulting from illegal drug consumption will be subject to adverse personnel action. The statement should explain that drug use creates both economic and legal liabilities which are unacceptable to the company and the community.
- ❖ Employers should consider an Employee Assistance Program (EAP), either residential or out-patient, and either company-funded or not, to which workers involved in drug abuse may be referred for treatment. This rehabilitation regimen should be offered in confidentiality, one time and without recrimination or penalty.
- ❖ Drug trafficking by employees should result in termination, even if the employee is a drug user who would otherwise be a candidate for treatment. A law enforcement involvement should be considered.
- ❖ Employers should consider urinalysis to detect drug use by applicants. Additional drug testing of current employees should be considered in accordance with accepted practices, for random and for cause screening.
- ❖ A drug orientation program should be provided to current employees wherein they can be advised of the company policy, and the economic, health and legal consequences of drug use which brought about that policy.
- ❖ Supervisory drug training should be conducted so those closest to the problem can be coached on the signs, symptoms, behavior changes, performance problems and intervention concepts attendant on drug use.
- ❖ A mechanism for monitoring cost effectiveness and success of the program should be established and reviewed periodically.

"We have the right to say how you behave at the workplace. You don't bring a gun to work. You can't come to work naked. You're not allowed to yell 'fire' in the middle of the factory. We're just asking people to be fit while they're in the job."

—Peter Cherry,
Cherry Electrical Products

Legal Considerations

Before implementation of a Drug-Free Workplace Program there are legal issues to be considered. There are ramifications for a company's action as well as inaction. Legal advice must factor into preliminary discussion on the Drug-Free Workplace issue.

Employers should monitor legislative and legal developments regarding relevant: federal, state, and local legislation; National Labor Relations Board decisions; arbitration awards; and court decisions regarding the employment-at-will doctrine and its relationship to employees discharged for on-the-job drug abuse. Revise your company's drug abuse prevention program accordingly.

"Law enforcement officials cannot win it alone... nor can the government... nor can the schools. It can only be won by a collective effort by all segments of our society—and that most assuredly includes employers."

Employers have the most effective deterrent to drug abuse—the paycheck. Contingency of employment is a powerful incentive for employees to stay and become drug free."

—Richard L. Leshner
President
U.S. Chamber of Commerce

Success Stories

- ❖ Armco's National Supply Company plant in Houston, Texas implemented a comprehensive drug abuse prevention program. Results included a two-thirds reduction in the accident rate and a 15 percent increase in productivity. Quality up with turnovers down.
- ❖ Within two years of instituting drug testing Southern Pacific Railroad showed 72 percent decrease in accidents.
- ❖ The US Navy reduced the rate of "Positive" drug tests from 47 percent to four percent in just three years.

References

AMERICAN COUNCIL FOR DRUG EDUCATION (ACDE)

Suite 110
204 Monroe Street
Rockville, MD 20850
(301) 294-0600

Writes and publishes educational materials; reviews scientific findings; and develops educational media campaigns, pamphlets, monographs, films, and other teaching aids on the health risks associated with drug and alcohol use which are targeted at educators, parents, physicians, and employees.

DRUG ENFORCEMENT ADMINISTRATION

Demand Reduction Section (CPD)

1405 Eye Street, N.W.

Washington, D.C. 20537

(202) 786-4096

Offers a wide variety of information on how to implement demand reduction activities including those for the workplace, student athletes, and the community.

NARCOTICS ANONYMOUS

World Service Office

P.O. Box 9999

Van Nuys, CA 91409

(818) 780-3951

Functions as a self-help group of and for recovering addicts. The group is open to any drug user and assesses no fees.

NATIONAL CLEARINGHOUSE FOR ALCOHOL AND DRUG ABUSE INFORMATION (NCADI)

P.O. Box 2345

Rockville, MA 20852

(301) 468-2600

Services the Office of Substance Abuse Prevention, has available a library that covers a range of alcohol and drug abuse and has a computerized research capability. The service responds to requests from community leaders, researchers, and others. Bulk quantities of information are available to the general public.

NATIONAL INSTITUTE ON DRUG ABUSE (NIDA) HOTLINE

1-800-662-HELP

This toll-free confidential information and referral line directs callers to drug abuse treatment centers in the local community, and provides free materials on illegal drug abuse upon request.

NATIONAL INSTITUTE ON DRUG ABUSE (NIDA) WORKPLACE HELPLINE

1-800-843-4971

Provides telephone consultation, publications and resource referral information to employers throughout the United States via a toll-free telephone helpline.

Operates from 9:00 AM to 8:00 PM, Eastern time, Monday through Friday.

PARENTS RESOURCE INSTITUTE FOR DRUG EDUCATION (PRIDE)

Woodruff Building, Suite 1002

100 Edgewood Avenue

Atlanta, GA 30303

1-800-241-9746

National resource and information center that offers consultation services to parent groups, schools, personnel, and youth groups, and provides a drug use survey service. Publishes a newsletter, a youth group handbook, and other publications. They also sell and rent books, films, and videos.

TOLL FREE NUMBERS PRIDE DRUG INFORMATION LINE 1-800-241-9746

**ALCOHOL HOTLINE
1-800-ALCOHOL**

**COCAINE HELPLINE
1-800-COCAINE**

**NATIONAL INSTITUTE ON DRUG ABUSE,
HHS 1-800-638-2045**

**NIDA DRUG ABUSE HOTLINE
1-800-662-HELP**

**NIDA WORKPLACE HELPLINE
1-800-843-4971**

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Workplace Hoffman- La Roche, Inc, 1988**

**Drug Abuse in the Workplace: An Employer's
Guide For Prevention,
Mark A. de Bernardo, US Chamber of Commerce,
1987**

**Strategic Planning for Workplace Drug Abuse
Programs, National Institute on Drug Abuse, 1987**

**White House Conference for a Drug Free
America: Final Report, June 1988**

LOCAL REFERENCES

* MASSACHUSETTS DRUG AND ALCOHOL INFORMATION REFERRAL HOTLINE

1-800-327-5050 617-445-1500

* MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH DIV. OF SUBSTANCE ABUSE

617-727-1960

* MASSACHUSETTS SUBSTANCE ABUSE PREVENTION CENTERS

* THE PREVENTION CENTER,	BOSTON -	617-267-8553
* THE PREVENTION NETWORK,	LAWRENCE -	508-685-1337
* PREVENTION RESOURCES,	NEEDHAM -	617-449-8823
* PATHWAYS PREVENTION CENTER,	PLYMOUTH -	508-747-0755
* PREVENTION SERVICES,	SALEM -	1-800-334-5512 508 - 745-8890
* MT. AUBURN HOSP. PREVENTION CTR,	WALTHAM	617-893-0111
* TRI-PREVENTION FIRST,	WORCESTER	617-752-8083
* PREVENTION ONE	NORTHAMPTON	413-584-3880
* GOVERNOR'S ALLIANCE AGAINST DRUGS,	BOSTON	617- 727-0786



EMPLOYEE EDUCATION PROGRAMS

The drug education program is crucial to the success of a company's drug policy. The company policy on drug abuse may be communicated to all employees within the context of a drug education program

A drug education program should include:

- ✓ The effects of licit and illicit drugs, including alcohol
- ✓ Information about how drugs affect the health of the employee and his/her family
- ✓ Information on how drugs actually affect their company's productivity
- ✓ Information on how drugs affect their community and society as a whole.

Employee education may be conducted in various ways, such as: bulletin board notices, paycheck stuffers, brown-bag luncheon seminars, articles in the company's newsletters, even loaners of drug education videotapes for employees to watch with their families at home.



SUPERVISORY TRAINING

Supervisors play a crucial role in the implementation of a drug policy. For this reason supervisors need training on the identification of problem employees, how to confront problem or drug abusing employees, and how to refer them to employee assistance programs.

Supervisors should also be given information on the physiological and psychological aspects of addiction as well as other pertinent issues such as drug testing, drug trafficking and employee drug education.

Supervisors should not be expected to be amateur diagnosticians, but instead should concentrate on a general approach of whether chemicals may be interfering with the performance of those working for them.

Another way of spotting problem employees is based on the fact that people who abuse drugs, either at work or off the job, perform differently than those who do not. And those differences can be measured, either by observation or with the aid of an electronic data base.

A summary of drug-related performance indicators follows:

- ✓ Is late for work 3 times more often.
- ✓ Requests early dismissal or additional time off 2.2 times more often.
- ✓ Uses 3 times more sick leave.
- ✓ Is 5 times more likely to file a worker compensation claim.
- ✓ Is 3.6 times as likely to have an accident at work and 9 times more likely to have a domestic or car accident away from work.
- ✓ Has inconsistent work quality and lowered productivity.
- ✓ Has increased mistakes, is careless, and makes judgement errors.
- ✓ Shows mood swings, which over several days seem to occur at similar times of the day.
- ✓ Is overly reactive to supervisory admonishments or compliments.
- ✓ Deliberately avoids co-workers and supervisors, especially supervisors who have been trained to spot abusers.
- ✓ Has a deteriorating personal appearance, hygiene, or ability to get along with co-workers.
- ✓ Evidence of poor morale and reduced productivity among co-workers, the result of "covering" for the abuser, or frustration of management ignorance or inaction to what is perceived by many workers as an obvious drug problem.
- ✓ Needless risks taken to raise productivity after supervisory admonishments.
- ✓ Careless handling and maintenance of machinery, equipment, or office supplies.
- ✓ Disregard for co-workers safety.
- ✓ Increasing complaints about problems at home or with family and friends.
- ✓ Frequent and recurring financial problems, including borrowing from co-workers or supervisors to get to paydays.

Close observation and documentation of the signs of drug abuse should only be asked of supervisors who have had training in such techniques. A clear policy statement in combination with the training of supervisors will allow for the identification, intervention and treatment of drug dependent workers in a manner consistent with the law and good personnel practices.



